

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION

CAREY W. FAUST,

Plaintiff

VS.

ALEXIS CHASE, *et al.*,

Defendants

NO. 5: 05-CV-295 (WDO)

PROCEEDINGS UNDER 42 U.S.C. §1983
BEFORE THE U. S. MAGISTRATE JUDGE

ORDER

On June 5, 2006, the defendants in the above-styled case filed a motion for summary judgment. Tab #41. The following day, the undersigned issued an order directing the plaintiff to respond to the defendants' motion within 20 days from his receipt of that order. Tab #45. Now before the court is the plaintiff's COMBINED MOTION TO STAY SUMMARY JUDGMENT PROCEEDINGS AND MOTION TO REOPEN AND RESET DISCOVERY PERIODS. Tab #46. The defendants have submitted a response to the plaintiff's motion. Tab #47.

In the plaintiff's combined motion, he prays that the court reopen discovery, claiming that he was prejudiced by the court's March 21, 2006 order which granted the defendants' motion to extend discovery through May 5th. Tab #25. The plaintiff claims that he had been physically unable to file any objections or motions regarding discovery until he filed this motion. A review of the docket, however, reveals that before he filed the present motion, the plaintiff had filed seven documents with the court after March 21st. Tabs #27, #28, #29, #31, #34, #35, & #39.

The plaintiff's motion (Tab #46) is simply filed too late and is therefore DENIED.

However, in the interest of justice, the undersigned will afford the plaintiff another **TWENTY (20) DAYS** from receipt of this Order in which to respond to the defendants' motion for summary judgment.

SO ORDERED, this 18th day of JULY, 2006.



A handwritten signature in blue ink, reading "Claude W. Hicks, Jr.".

CLAUDE W. HICKS, JR.
UNITED STATES MAGISTRATE JUDGE